

1  
2  
3  
4  
5  
6  
7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10 GS HOLISTIC, LLC,

CASE NO. C23-0375JLR

11                   Plaintiff,

ORDER

12                   v.

13 THE CITY SMOKE  
14 CORPORATION, et al.,

Defendants.

15                   Before the court is Plaintiff GS Holistic, LLC’s (“GS Holistic”) motion for a  
16 60-day extension of time to perfect service on Defendants The City Smoke Corporation  
17 and Yasir Shammar (together, “Defendants”). (Mot. (Dkt. # 6).) The court GRANTS GS  
18 Holistic’s motion for an extension of time.<sup>1</sup>

19  
20  
21                   

---

<sup>1</sup> Although the motion is noted for consideration on June 23, 2023 (*see id.*), the court sees  
22 no reason to delay issuing a decision on the motion. *See Fed. R. Civ. P. 1* (authorizing the court  
to construe the Federal Rules of Civil Procedure “to secure the just, speedy, and inexpensive  
determination of every action and proceeding”).

1       Federal Rule of Civil Procedure 4 requires a plaintiff to serve the defendant with a  
2 summons and a copy of the complaint and sets forth the specific requirements for doing  
3 so. *See* Fed. R. Civ. P. 4. Rule 4(m), which provides the timeframe in which service  
4 must be effectuated, states in relevant part:

5           If a defendant is not served within 90 days after the complaint is filed, the  
6 court—on motion or on its own after notice to the plaintiff—must dismiss  
7 the action without prejudice against that defendant or order that service be  
made within a specified time. But if the plaintiff shows good cause for the  
failure, the court must extend the time for service for an appropriate period.

8 *Id.*

9           GS Holistic filed this action on March 14, 2023. (Compl. (Dkt. # 1).) As a result,  
10 Rule 4(m)'s 90-day deadline for effectuating service of process expired on Monday, June  
11 12, 2023. Fed. R. Civ. P 4(m). GS Holistic, however, did not ask the Clerk to issue  
12 summons until June 9, 2023. (Mot. ¶ 2; *see* Praecipe (Dkt. # 4); 6/12/23 Notice (Dkt.  
13 # 5) (issuing summons).) GS Holistic now asks the court to extend the Rule 4(m)  
14 deadline by 60 days to allow it to perfect service on Defendants. (Mot. ¶ 4.)

15           The court finds that GS Holistic has not demonstrated good cause for its failure to  
16 effectuate service before the Rule 4(m) deadline. Nevertheless, the court GRANTS GS  
17 Holistic's motion for a 60-day extension of the deadline to perfect service on Defendants  
18 (Dkt. # 6). GS Holistic shall file proof of service by no later than **August 11, 2023**.

19 Failure to do so may result in the dismissal without prejudice of GS Holistic's claims

20 //

21 //

22 //

1 against Defendants. Further extensions of the deadline to serve Defendants will not be  
2 granted absent exceptional circumstances.<sup>2</sup>

3 Dated this 13th day of June, 2023.

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22



JAMES L. ROBART  
United States District Judge

---

<sup>2</sup> Under Local Rules W.D. Wash. LCR 10(e)(3), the law firm, mailing address, and telephone number of the attorney preparing the paper should be printed or typed at the bottom of each page of a motion or other filing. In addition, Local Rules W.D. Wash. LCR 10(e)(5) requires line numbers in the left margin of each page of a motion or other filing. Here, the footer of GS Holistic's motion contains contact information for The Ticktin Law Firm, even though the only attorney who has appeared in this action is Brett C. Harris of Virgo Law LLC. (*See Mot.; Dkt.*) In addition, there are no line numbers on the pleading paper. (*See Mot.*) Accordingly, the court ORDERS counsel for GS Holistic to carefully review the court's local rules and to ensure compliance with those rules in all future filings. Failure to comply with the court's local rules may result in sanctions.